

# Memorandum



**Date:** July 3, 2012

**To:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

Agenda Item No. 8(M)(4)

**From:** Carlos A. Gimenez  
Mayor

**Subject:** Go America Transportation, Inc. Application for a Transfer of Passenger Motor Carrier  
Certificate of Transportation No. 30194

## **RECOMMENDATION**

It is recommended that the Board of County Commissioners (Board) approve the transfer of Passenger Motor Carrier Certificate of Transportation No. 30194 from Casino Travel, Inc. to Go America Transportation, Inc.

## **SCOPE**

This Passenger Motor Carrier (PMC) Certificate of Transportation is countywide, allowing the certificate holder to operate in unincorporated and incorporated areas of Miami-Dade County.

## **FISCAL IMPACT/FUNDING SOURCE**

Licensing, operating permit and inspection fees are collected by the Department of Regulatory and Economic Resources to support regulatory activities. There is an annual regulatory fee of \$625 per certificate and \$625 per vehicle that will yield \$1,250 in revenue annually if the company operates only one (1) vehicle. Passenger Motor Carrier certificate holders can operate an unlimited number of vehicles under the certificate. Vehicle inspections are \$38 per vehicle.

## **TRACK RECORD/MONITOR**

Applicant is a new permit holder; however, the principal of the corporation, Mr. Carlos Pulido, has been a registered chauffeur since 2007. The applicant is in compliance with all Code requirements. The Department of Regulatory and Economic Resources will be responsible for monitoring this company.

## **BACKGROUND**

On February 17, 1981, the Board of County Commissioners adopted Ordinance 81-17, subsequently amended by Ordinance 85-20 on April 16, 1985, which regulates the passenger motor carrier industry in Miami-Dade County under Chapter 31 of the Code of Miami-Dade County.

Section 31-103 (m) of the Code provides the procedures to be followed by Miami-Dade County in processing transfer applications. No certificate may be sold, assigned or transferred to another until the proposed sale, assignment, or transfer has been approved by the Board. In considering the proposed transfer of ownership or control of the certificate, the Board shall determine whether or not said transfer is contrary to the public interest, upon evidence submitted at the public hearing. The Board may approve or refuse to approve said transfer upon such terms and conditions or may reasonably alter, restrict or modify the terms and provisions of such transfer if in the public's interest.

Casino Travel, Inc. has filed an application to transfer Passenger Motor Carrier Certificate of Transportation No. 30194 to Go America Transportation. Transferred on April 6, 2010, via Resolution R-344-10 (Attachment A) to Casino Travel, Inc., PMC No. 30194 authorizes special

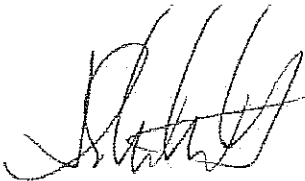
Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners  
Page 2

operations service. This class of service is defined as transportation of persons in a motor vehicle to a common destination or series of common destinations where the person may be charged as an individual or as part of a group, including but not limited to charter, sightseeing, or subscription service, not between fixed terminals or on a regular route.

The company is required to adhere to the terms of the resolution, which approved the certificate. Go America Transportation, Inc., located at 7711 NW 114 Place, Medley, Florida 33178, seeks to continue providing this class of service by transporting resident and tourist groups to and from various locations throughout Miami-Dade County 24-hours a day, seven days a week. Transportation is required to be pre-arranged at least 24-hours prior to service, using chauffeur driven vehicles with a seating capacity of nine or more, but less than 28 passengers, excluding the driver. The proposed rates are listed on the attached rate schedule (Attachment B).

The management plan submitted by Mr. Carlos Pulido, President of Go America Transportation, Inc., includes maintenance, communication, and record keeping systems and meets the requirements of the Code. All required financial statements and credit references have been submitted and the proposed service standards adequately meet passenger transportation and comfort needs. A background investigation reveals no criminal conviction for the applicant or any corporate officers within five years of the date of the application.

As required by the Code, the applicant has provided disclosure of the terms and conditions regarding the transfer of the certificate. A Sales Agreement (Attachment C) between Mr. Carlos Pulido and Casino Travel, Inc., establishes the acquisition by Mr. Pulido of PMC Certificate of Transportation No. 30194 for a total price of \$15,000.00.



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Jack Osterholt  
Deputy Mayor



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** July 3, 2012

**FROM:** R. A. Cuevas, Jr.  
County Attorney

A handwritten signature in dark ink, appearing to read "R. A. Cuevas, Jr.", is written over the printed name.

**SUBJECT:** Agenda Item No. 8(M)(4)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 8(M)(4)  
7-3-12

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF  
TRANSPORTATION NO. 30194 FROM CASINO TRAVEL, INC.  
TO GO AMERICA TRANSPORTATION, INC. TO PROVIDE  
SPECIAL OPERATIONS SERVICE AS A PASSENGER MOTOR  
CARRIER

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that in accordance with Chapter 31 of the Code, the transfer of Certificate of Transportation No. 30194 from Casino Travel, Inc. to Go America Transportation, Inc. to provide special operations service as a passenger motor carrier is approved. This class of transportation is defined as transportation of persons in a motor vehicle to a common destination or series of common destinations where the person may be charged as an individual or as part of a group, including but not limited to charter, sightseeing, or subscription service, not between fixed terminals or on a regular route.

The foregoing resolution was offered by Commissioner \_\_\_\_\_,  
who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_  
and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 3<sup>rd</sup> day of July, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

GKS

Gerald K. Sanchez

OFFICIAL FILE COPY  
CLERK OF THE BOARD  
OF COUNTY COMMISSIONERS  
MIAMI-DADE COUNTY, FLORIDA

## Memorandum



Date: April 6, 2010

To: Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

From: George M. Burgess  
County Manager

Subject: Casino Travel, Inc. application for a transfer of Passenger Motor Carrier Certificate of Transportation No. 30194

Agenda Item No. 8(C)(1)(F)

Resolution No. R-344-10

#### RECOMMENDATION

It is recommended that the Board approve the transfer of Passenger Motor Carrier (PMC) Certificate of Transportation No. 30194 from Casino Tours, Inc. to Casino Travel, Inc.

#### SCOPE

This PMC Certificate of Transportation is countywide, allowing the certificate holder to operate in unincorporated and incorporated areas of Miami-Dade County.

#### FISCAL IMPACT/FUNDING SOURCE

There is no fiscal impact to the County.

#### TRACK RECORD/MONITOR

Applicant is a new permit holder; however, the principal of the corporation, Mr. Diego Casaballe, has been a registered chauffeur since April, 2006. There is no enforcement history. The Consumer Services Department (CSD) will be responsible for monitoring this company.

#### BACKGROUND

On February 17, 1981, the Board of County Commissioners adopted Ordinance 81-17, subsequently amended by Ordinance 85-20 on April 16, 1985, which regulates the passenger motor carrier industry in Miami-Dade County under Chapter 31 of the Code of Miami-Dade County.

Section 31-103 (m) of the Code provides the procedures to be followed by Miami-Dade County in processing transfer applications. No certificate may be sold, assigned or transferred to another until the proposed sale, assignment, or transfer has been approved by the Board. In considering the proposed transfer of ownership or control of the certificate, the Board shall determine whether or not said transfer is contrary to the public interest, upon evidence submitted at the March 9, 2010 Government Operations Committee (GOC) meeting (Attachment A). The Board may approve or refuse to approve said transfer upon such terms and conditions or may reasonably alter, restrict or modify the terms and provisions of such transfer if in the public's interest.

Casino Tours, Inc. has filed an application to transfer PMC Certificate of Transportation No. 30194 to Casino Travel, Inc. Originally issued on June 20, 1995 via Resolution R-858-95 (Attachment B) PMC No. 30194 authorizes special operations services. This class is defined as transportation of persons in a motor vehicle to a common destination or series of common destinations where the person may be charged as an individual or as part of a group, including but not limited to charter, sightseeing, or subscription service, not between fixed terminals or on a regular route.

*Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners  
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The company is required to adhere to the terms of the resolution, which approved the initial certificate (R-858-95). Casino Travel, Inc., located at 752 NE 83 Street Road, Miami, Florida 33138, seeks to continue providing this class of service by transporting resident and tourist groups to and from various locations throughout Miami-Dade County 24-hours a day, seven days a week. Transportation is required to be pre-arranged at least 24-hours prior to service, using chauffeur driven vehicles with a seating capacity of nine or more, but less than 28 passengers, excluding the driver. The proposed rates are listed on the attached rate schedule (Attachment C).

The management plan submitted by Mr. Diego Casaballe, President of Casino Travel, Inc., includes maintenance, communication, and record keeping systems and meets the requirements of the Code. All required financial statements and credit references have been submitted and the proposed service standards adequately meet passenger transportation and comfort needs. A background investigation reveals no criminal conviction for the applicant or any corporate officers within five years of the date of the application.

As required by the Code, the applicant has provided disclosure of the terms and conditions regarding the transfer of the certificate. A Sales Agreement (Attachment D) between Casino Tours, Inc. and Casino Travel, Inc. establishes the acquisition by Casino Travel, Inc. of PMC Certificate of Transportation No. 30194 for a total price of \$5,000.00.

  
\_\_\_\_\_  
Assistant County Manager

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 8(C)(1)(F)  
4-6-10

RESOLUTION NO. R-344-10

**RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF  
TRANSPORTATION NO. 30194 FROM CASINO TOURS, INC. TO  
CASINO TRAVEL, INC. TO PROVIDE SPECIAL OPERATIONS  
SERVICE AS A PASSENGER MOTOR CARRIER**

**WHEREAS**, this Board desires to accomplish the purposes outlined in the  
accompanying memorandum, a copy of which is incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY  
COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that in accordance with Chapter 31  
of the Code, the transfer of Certificate of Transportation No. 30194 to Casino Travel, Inc. to  
provide special operations service is approved. This class of service is defined as  
transportation of persons in a motor vehicle to a common destination or series of common  
destinations where the person may be charged as an individual or as part of a group, including  
but not limited to charter, sightseeing, or subscription service, not between fixed terminals or on  
a regular route.

The foregoing resolution was sponsored by Commissioner Jose "Pepe" Diaz, who  
moved its adoption. The motion was seconded by Commissioner Dorrin D. Rolle and  
upon being put to a vote, the vote was as follows:

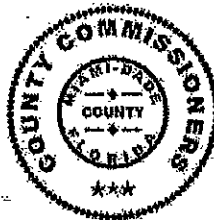
Dennis C. Moss, Chairman	aye		
Jose "Pepe" Diaz, Vice-Chairman	aye		
Bruno A. Barreiro	absent	Audrey M. Edmonson	absent
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Barbara J. Jordan	aye	Joe A. Martinez	aye
Dorrin D. Rolle	aye	Natacha Seljas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

**Resolution No. R-344-10**

**Agenda Item No. 8(C)(1)(F)**

**Page No. 2**

The Chairperson thereupon declared the resolution duly passed and adopted this 6<sup>th</sup> day of April, 2010. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.



**MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS**

**HARVEY RUVIN, CLERK**

By: **DIANE COLLINS**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

Ghs

Gerald K. Sanchez

**ATTACHMENT B****GO AMERICA TRANSPORTATION**

MIAMI (From or To)

Rates are per trip-Not per person

Non-Share and Direct	1-4 Pax	5-7 Pax	8-10 Pax	11-14 Pax
Miami Internacional Airport	\$50	\$65	\$85	\$105
Port of Miami	\$50	\$65	\$85	\$105
Boca Raton	\$125	\$155	\$185	\$215
Fort Lauderdale	\$75	\$105	\$125	\$150
Fort Myers	\$375	\$400	\$425	\$450
Key Largo	\$175	\$200	\$225	\$250
Key West	\$450	\$500	\$550	\$600
Marathon	\$250	\$300	\$350	\$400
Naples	\$250	\$300	\$350	\$400
Orlando	\$450	\$550	\$600	\$650
Pompano	\$95	\$125	\$150	\$175
Port Everglades	\$75	\$105	\$125	\$150
Tampa	\$550	\$650	\$700	\$750
West Palm Beach	\$150	\$195	\$225	\$250

Fort Lauderdale (From or To)

Rates are per trip-Not per person

Non-Share and Direct	1-4 Pax	5-7 Pax	8-10 Pax	11-14 Pax
Fort Lauderdale Int'l Airport	\$50	\$65	\$85	\$105
Port Everglades	\$50	\$65	\$85	\$105
Boca Raton	\$85	\$105	\$135	\$155
Fort Myers	\$325	\$350	\$375	\$400
Key Largo	\$225	\$250	\$275	\$300
Key West	\$500	\$550	\$600	\$650
Marathon	\$300	\$350	\$400	\$450
Miami	\$75	\$105	\$125	\$150
Naples	\$200	\$250	\$300	\$350
Orlando	\$450	\$500	\$550	\$600
Pompano	\$65	\$75	\$95	\$115
Port of Miami	\$75	\$105	\$125	\$150
Tampa	\$500	\$600	\$650	\$700
West Palm Beach	\$125	\$175	\$200	\$225

State of Florida

County of Dade

**ATTACHMENT C**


**BILL OF SALE**


IN CONSIDERATION of the sum of Fifteen Thousand (15.000, 00) USD inclusive of all sale tax, paid by cash, the receipt of which consideration is a acknowledge, Diego Casaballe (the Seller) of president of Casino Travel Inc. Sells and Delivers to Carlos Pulido (the purchaser) of 7711 NW 114<sup>th</sup> PL, Doral Florida. 33178, the following personal property (the personal property):

**Sell and Transfer the permission of PMC No. 30194**

The purchaser agrees to comply with the deadlines established here regarding permission of the Unit No. 4 on behalf of Casino Travel Inc. or Casaballe Diego for a period of 12 months after the year end of the current Decal without charge for the use of the same permit until there is full transfer of the permit PMC.

The seller agrees to sign and proceed to transfer the permit PMC

  
Seller  
Diego Casaballe.

  
Purchaser  
Carlos Pulido.

Sworn and Subscribed (or affirmed) before me, this 09 day of November, 2011 by, Diego Casaballe as Seller and Carlos Pulido as Purchaser. Who produced FDL as Identification.

Notary,



Guido Diaz  
State of Florida  
Notary Public  
Commission No. EE066477  
My Commission Expires 2/21/2015

must be made available for inspection and copying within one (1) business day of such request by the CSD or any police agency during regular business hours and shall be retained for one (1) year;

- (5) Shall maintain a log of all customer complaints;
- (6) Shall maintain quarterly vehicle accident records for all vehicles operated in the prior quarter;
- (7) Shall not refuse to dispatch or neglect to dispatch a request to transport to or from any place in the county, any orderly person requesting service;
- (8) Shall hold any personal property deposited in the lost and found facility for a period of six (6) months, at the end of which time the personal property shall become the property of the finder. A record of personal property reported to or deposited at the lost and found facility shall be kept for at least one (1) year; and
- (9) Shall comply with all applicable obligations of the for-hire license holder when acting as his, her or its agent.

(1) *Responsibility for violations of chapter.* The holder of a passenger service company registration or any person providing passenger services directly shall be responsible for any violation of this chapter involving passenger services and shall be subject to the penalties provided for in this chapter for any such violation. In addition, the registration shall be subject to suspension or revocation for any such violation. Charges against or penalties imposed on a for-hire license holder or for-hire chauffeur for the same or related offense shall not relieve the passenger service company of its responsibilities or liabilities under this chapter. Violations shall be punishable as provided in this chapter.  
(Ord. No. 98-105, § 1, 7-9-98; Ord. No. 01-178, § 1, 11-6-01; Ord. No. 03-45, § 1, 3-11-03)

### ARTICLE III. PASSENGER MOTOR CARRIERS\*

#### Sec. 31-101. Transportation policy.

To assure the development and maintenance of a safe, healthy and efficient passenger transportation system for Miami-Dade County, the Commission, County Manager and County staff, in carrying out the duties and responsibilities prescribed in this article, shall consider the following as being in the public interest:

- (1) Reliance on market forces and on actual and potential competition among all transportation modes, so as to provide transportation services at competitive prices.
- (2) Coordination of regulatory decision-making with the transportation improvement plan, and the orderly development of an integrated transportation/transit system for Miami-Dade County so as to ensure the development and maintenance of a transportation/transit system responsive to the needs of the public, in which regulatory decisions are reached fairly and expeditiously, and with consideration of their costs and benefits.
- (3) Improvement of motor vehicle safety.
- (4) Achievement of County, national and State energy conservation goals.
- (5) Reduced concentration of market power, and prevention of unfair, deceptive, predatory or anticompetitive practices.
- (6) Reduction of restrictive regulatory barriers to entry into the industry and promotion of equal opportunities.
- (7) Promotion of the safety and welfare of the residents and visitors of Miami-Dade County who use the services of passenger motor carriers to meet their transportation needs.

\*Editor's note: Ord. No. 81-17, adopted Feb. 17, 1981, did not specify manner of codification; therefore, inclusion of §§ 2-16 as Art. III, §§ 31-101-31-115, has been at the editor's discretion.